

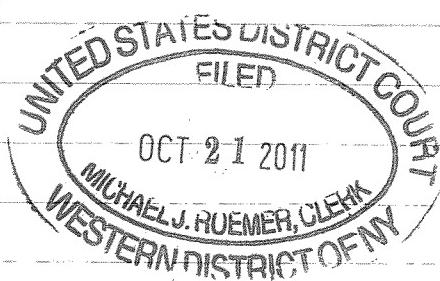
10-20-11

United states District Court  
Western District of New York

David A. Marotta, 11BO42C  
Plaintiff

-V-

Officer Austin, et Al  
Defendants



11-cv-0691sr  
for damages  
and Mental  
and physical  
~~injury~~ injuries  
unlawfull confinement  
and pain and torish with

Dear ~~Your~~ Your hon U.S. Mail, damage to Evidence

The only thing I am miss from my  
discoverey is the E-discoverey I have  
be able to get like My Medical Records  
picture of injuries for June 4 to June 6,  
2011 and August 20, 2011 Pictures and Video  
with ECMC where the doctor recommended  
Grove Land Correctional Facility be told  
to take me to the ER in Warsaw hospital  
for injuries to my shoulder and neck the  
on the 20 of July 2011 at 8:15 pm. ~~For~~  
For Mental stress hearing tapes from

10-20-11

April 115 and the hear tapes from August 2, 2011 to show this is not the first time to be unlawfull confinement and ~~harassment~~ harassment from other Officer like Ms Meyers k-1 dorm . I am seek right now and going pull my notice of intent out of the Court of Claims and put it U.S. Court District Courts Western District of New York United Court house house of ~~the~~ Buffalo New York .

Which would the law suit to \$1,400,000.00 . For the damages of Mental with physical injuries , unlawfull confinement , A Mental stress , and Taping with U.S. Mail , damage to Evidence and Not the proper Medical CARE Here . of Groveland C.F. And Great Meadows Correction Facility where the only way I am going to settle out of Court is \$900,000.00 with not fines no Parole because holding my Mail and opening and that's legal Mail not me to write to the Courts about and have lawyer to work with him on my appeal or send Mail to here and the court what I can prove , lost Evidence and prove that with witness Officer Hayes from OMR Behavior unit I can prove that Officer Jenkins was trying hurt me on emergency sick Call and that Just Great Meadow

10-20-11

Your hon I have gave you some Evidence  
and need your help to get the E-discovery  
to put this to bed and ~~don't~~ don't want  
I of fruitless doctors try to treat me  
They have harm me as it is.

I have all the Evidence I need right  
now so please share this information  
with lawyers I pick please in all do  
respect . You see what I want and want  
A Answer by JANUARY 1,2012 hope to  
here for you about ~~the~~ these mater.

I sorry I am give you my only copy's  
I have do to the court confinement ~~so~~ am  
able to get copy's back.

Very truly yours  
David Marrott

DAVID A. MARROTT  
11 Boulard

10-12-11

Ms Rapolt

There ~~seem~~<sup>some</sup> civil Right and law  
being broken here

1. Is Due process requires that prison officials give you written notice of the charges twenty-four prior to conducting a disciplinary hearing.

Therefore, you must your Misbehavior Report at least 24 hours before the hearing begins.

2. If the description of what you are accused of doing would not be a violation of the rules you cannot be found guilty of violating those rules

3. You cannot be disciplined for requesting or demanding changes in institutional conditions, policies, rules or laws

4. You cannot be disciplined except for violating a published and posted rule, a copy of which has been provided.

STATE OF NEW YORK – DEPARTMENT OF CORRECTIONAL SERVICES  
**GREAT MEADOW CORRECTIONAL FACILITY**

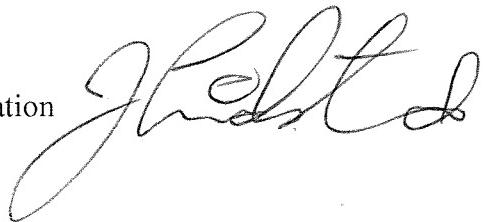
*Interdepartmental Communication*

**TO:** D. Marotta, 11B0421, BHU-2-D08

**FROM:** J. Lindstrand, Deputy Superintendent for Administration

**RE:** Your Letter

**DATE:** September 29, 2011



This memo is in response to your letter regarding various issues. Most of issues are Security related and as such, I am forwarding your letter to Captain Goodman, who is charge of the BHU Security staff.

There were 2 issues under my supervision so I will respond to them for you. If you wish to review your medical records, you should write to the Nurse Administrator and she will set up an appointment for you. I warn you that this takes some time to set up so be patient. You stated that a F.O.I.L. request for medical records was denied. While I have not confirmed this, I note that you do not have much money in your account, and as such, may have been denied due to lack of funds. F.O.I.L. requests require sufficient funds to process.

You also stated that there was a problem with your account. I have reviewed your account and noted that you are being paid \$4.75 a week for non-holiday weeks. This is correct. I found no other inaccurate transactions.

Cc: Captain Goodman  
file

GRIEVANT'S COPY

 <b>STATE OF NEW YORK</b> <b>DEPARTMENT OF</b> <b>CORRECTIONAL SERVICES</b>  <b>INMATE GRIEVANCE PROGRAM</b>  <b>SUPERINTENDENT</b>	GRIEVANCE NO. 52-585-11	Date Filed: 08-28-11
	FACILITY Great Meadow C. F.	POLICY DESIGNATION I
	TITLE OF GRIEVANCE Wants sick call	CLASS CODE #22
	SUPERINTENDENT'S SIGNATURE 	DATE October 7, 2011
GRIEVANT Marotta, David	DIN # 11-B-0421	HOUSING UNIT E-8-29

Offender Marotta is complaining of inadequate medical care. He is requesting treatment and an MRI be done for shoulder/neck pain.

A Medical Supervisor has reviewed his medical records. He notes that offender Marotta had 15 sick call encounters between 8/22/11 and 9/20/11. He has been seen by several Nurses and a Physician during this time. He had a surgical procedure performed at an outside hospital for one of his complaints and his other complaints are in treatment. He will need to participate in physical therapy for his shoulder/neck prior to an MRI being ordered. This is Central Office direction.

Offender Marotta is receiving extensive medical treatment.

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#### APPEAL STATEMENT

If you wish to refer the above decision of the Superintendent please sign below and return this copy to your Inmate Grievance Clerk. You have seven (7) calendar days from receipt of this notice to file your appeal. \* Please state why you are appealing this decision to C.O.R.C.

*I did see the doctor nothing this  
as happen at all From Dr Karamdy  
here at Great Meadow Correction facility  
David Marotta*

GRIEVANT'S SIGNATURE

DATE

OCT 13 2011

GRIEVANCE CLERK'S SIGNATURE

DATE

\* An exception to the time limit may be requested under Directive #4040, section 701.6 (g).



BRIAN FISCHER  
COMMISSIONER

STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES  
THE HARRIMAN STATE CAMPUS - BUILDING 2  
1220 WASHINGTON AVENUE  
ALBANY, N.Y. 12226-2050

## MEMORANDUM

FROM: Karen Bellamy, Director, Inmate Grievance Program  
SUBJ: Receipt of Appeal

*Great Meadow*

D MAROTTA 11B0421 9/21/11  
Groveland Correctional Facility  
Your grievance GRVL-16520-11 entitled  
Access To IGPS  
was rec'd by CORC on 8/31/11

**RECEIVED**

**SEP 30 2011**

**INMATE GRIEVANCE SUPV**

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A disposition will be sent to you after the grievance is reviewed by CORC



BRIAN FISCHER  
COMMISSIONER

STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES  
THE HARRIMAN STATE CAMPUS - BUILDING 2  
1220 WASHINGTON AVENUE  
ALBANY, N.Y. 12226-2050

## MEMORANDUM

FROM: Karen Bellamy, Director, Inmate Grievance Program  
SUBJ: Receipt of Appeal

*Great Meadow*  
D MAROTTA 11B0421 9/21/11  
Groveland Correctional Facility  
Your grievance GRVL-16519-11 entitled  
Denied Due Process  
was rec'd by CORC on 8/31/11

RECEIVED

SEP 30 2011

INMATE GRIEVANCE SUPV

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A disposition will be sent to you after the grievance is reviewed by CORC